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| APPLICATION NO.  | FILING DATE | FIRST NAMED INVENTOR         | ATTORNEY DOCKET NO.       | CONFIRMATION NO.       |
|--|-------------|------------------------------|---------------------------|------------------------|
| 09/764,493   | 01/17/2001  | Arthur Charles Thomas Huston | 50269-0039                | 7203                   |
| 29989 7590 06/13/2007<br>HICKMAN PALERMO TRUONG & BECKER, LLP<br>2055 GATEWAY PLACE<br>SUITE 550<br>SAN JOSE, CA 95110 |             |                              | EXAMINER<br>BAROT, BHARAT |                        |
|  |             |                              | ART UNIT<br>2155          | PAPER NUMBER           |
|  |             |                              | MAIL DATE<br>06/13/2007   | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Supplemental  
Notice of Allowability**

Application No.

09/764,493

Examiner

Bharat N. Barot

Applicant(s)

THOMAS HUSTON ET AL.

Art Unit

2155

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed on 01/29/2007.
2. ☒ The allowed claim(s) is/are 1-5, 7-17, 19-29, 31-41, 43-55, 57-65, 67-70, 77-83, and 85-90 re-numbered as 1-77.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**BHARAT BAROT**  
**PRIMARY EXAMINER**

(571) 272-3979

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Edward A. Becker (Reg. No. 44,320) on June 07, 2007.

3. The application has been amended as follows:

Specification page 34 lines 2-18 have been amended as follows:

Common forms of computer-readable media include, for example, a floppy disk, a flexible disk, hard disk, magnetic tape, or any other magnetic medium, a CD-ROM, any other optical medium, punch cards, ~~paper tape, any other physical medium with patterns of holes,~~ a RAM, a PROM, and EPROM, a FLASH-EPROM, any other memory chip or game cartridge with memory, ~~a carrier wave as described hereinafter, or any other medium from which a computer can read.~~

Various forms of computer readable media ~~may be involved in carrying~~ providing one or more sequences of one or more instructions to processor 404 for execution. For example, the instructions ~~may initially be carried~~ stored on a magnetic disk of a remote computer. The remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line using a modem. A modem local to computer system 400 can receive the data on the telephone line and ~~use an infrared transmitter to convert the data to an infrared signal. An infrared detector coupled to bus 402 can receive the data carried in the infrared signal and place the data on bus 402.~~ Bus 402 ~~carries~~ provides the data to main memory 406, from which processor 404 retrieves and executes the instructions. The instructions received by main memory 406 ~~may~~ optionally be stored on storage device 410 either before or after execution by processor 404.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Examiner's Amendment."

**CONTACT INFORMATION**

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bharat Barot** whose Telephone Number is **(571) 272-3979**. The examiner can normally be reached on Monday-Thursday from 7:00 AM to 4:00 PM and Friday 7:00 AM to 11:00 AM. Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number **(571) 273-8300**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Saleh Najjar**, can be reached at **(571) 272-4006**.

Patent Examiner Bharat Barot

Art Unit 2155

June 07, 2007

*Bharat Barot.*  
**BHARAT BAROT  
PRIMARY EXAMINER**

# Part of Examiner's Amendment

-34-

communications.

Common forms of computer-readable media include, for example, a floppy disk, a flexible disk, hard disk, magnetic tape, or any other magnetic medium, a CD-ROM, any other optical medium, punch cards, ~~paper tape, any other physical medium with patterns~~

5 ~~of holes, a RAM, a PROM, and EPROM, a FLASH-EPROM, any other memory chip or~~  
~~cartridge, a carrier wave as described hereinafter, or any other medium from which a~~  
~~computer can read.~~

Various forms of computer readable media ~~may be involved in carrying~~ <sup>providing</sup> one or more sequences of one or more instructions to processor 404 for execution. For example, 10 the instructions ~~may initially be carried~~ <sup>stored</sup> on a magnetic disk of a remote computer. The remote computer can load the instructions into its dynamic memory and send the instructions over a telephone line using a modem. A modem local to computer system 400 can receive the data on the telephone line and ~~use an infrared transmitter to convert the data~~  
~~to an infrared signal. An infrared detector coupled to bus 402 can receive the data carried~~  
15 ~~in the infrared signal and place the data on bus 402.~~ <sup>provides</sup> Bus 402 ~~carries~~ the data to main memory 406, from which processor 404 retrieves and executes the instructions. The instructions received by main memory 406 ~~may~~ optionally be stored on storage device 410 either before or after execution by processor 404.

Computer system 400 also includes a communication interface 418 coupled to bus 20 402. Communication interface 418 provides a two-way data communication coupling to a network link 420 that is connected to a local network 422. For example, communication interface 418 may be an integrated services digital network (ISDN) card or a modem to provide a data communication connection to a corresponding type of telephone line. As